

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for January 4, 2006 PLANNING COMMISSION MEETING

P.A.S.#: County Change of Zone #05079
Red Cedar Ridge Pre. Plat #05017

NOTE: This is a combined staff report for related items. This report contains a single background and analysis section for all items. There are separate conditions for each individual application.

PROPOSAL: Lyle Loth, ESP, for Alan Baade, has requested a Change of Zone and Preliminary Plat to create 24 lots on property generally located at S. 82nd and Roca Rd.

WAIVER REQUEST: Waivers of subdivision requirements of street trees, street lighting, landscape screens, sidewalks and block length (only block length is required for a waiver due to recent code amendments).

LAND AREA: 119.03 Acres, more or less

CONCLUSION: This is not in conformance with the 2025 Comprehensive Plan. Based on the current information and changes that have occurred since the 2004 application, a change of zone is not substantiated and this request should be denied.

<u>RECOMMENDATION:</u>	Denial of the Change of Zone Denial of the Preliminary Plat
<u>WAIVER REQUESTS</u>	
- block length	Denial
- sidewalk	Not required
- landscape screens	Not required
- street lights	Not required
- street trees	Not required
- drainage	Not required

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 4, 10 and 11, Irregular tracts in the Southeast Quarter of Section 15, T8N, R7E, in the 6th P.M., Lancaster County, Nebraska.

LOCATION: Northwest of the corner of S. 82nd & Roca Rd.

EXISTING ZONING: AG Agriculture in the Lancaster County Jurisdiction

EXISTING LAND USE: farm land/pasture

SURROUNDING LAND USE AND ZONING:

North: Agriculture, zoned AG

South: Agriculture and acreages along Roca Road, zoned AG. AGR and acreages SW.

East: Agriculture with a few dwellings, zoned AG, Wagon Train Lake 3/4 mile east.

West: Agriculture, zoned AG, four acreages

ASSOCIATED APPLICATIONS: County Change of Zone # 05079 and Preliminary Plat # 05017 are related.

HISTORY: Change of Zone 04030 from AG to AGR and associated preliminary plat were denied by the County Board in September 2004. Changed from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is outside the Lincoln growth Tiers. The 2025 Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the “Right to Farm” and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per “40” acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows

equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

The 1995 Hickman Comprehensive Plan shows a “Horizon Plan” that extends one mile beyond their one mile extraterritorial jurisdiction. The Hickman Plan shows the far southern portion of this application as “Buffer”. Buffer is described as an ag reserve where “rural residential is discouraged. This is not in conformance with the Hickman Comprehensive Plan (Note, the Hickman Plan is now being updated).

SPECIFIC INFORMATION:

UTILITIES: This is in the Lancaster Rural Water District. Rural Water is proposed. Individual waste disposal is proposed.

TOPOGRAPHY: Rolling, draining to the south east and Stage Coach lake.

TRAFFIC ANALYSIS: This area is served by Roca Rd. and S. 82nd Street. Roca Road is a paved county road. South 82nd is gravel and is not programmed for improvement.

PUBLIC SERVICE: This is in the Hickman Rural Fire District and the Norris School District. This is served by the Lancaster County Sheriffs Department. This is in the Norris Public Power District.

REGIONAL ISSUES: Expansion of the acreage areas. “Matching” of town zoning and plans. Protection of farming operations. Development near State Lakes.

ENVIRONMENTAL CONCERNS: There are no identified historic or ecological resources on this site. The soil rating on this land is 5.25 on a scale of 1 to 10 where 1 to 4 are prime. This is not prime ag land. There is no FEMA mapped flood plain. No animal confinement was noted in the immediate area. This is located in the drainage basin, and about 3/4 miles from, Wagon Train Lake.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: Continued farming or five residential lots.

ANALYSIS:

1. This request is for a Change of Zone from AG to AGR and a Preliminary Plat for 24 lots (the prior application in 2004 had requested 35 lots). Paved public streets appear to be proposed.

2. Lancaster Rural Water and individual sewage disposal is proposed. Lancaster Rural Water District #1 has approved the application.
3. This request is not in conformance with the Lincoln-Lancaster County Comprehensive Plan map which shows this as Agriculture.
4. The plan does not appear to be in conformance with the Comprehensive Plan of the City of Hickman. However, it is outside the one mile jurisdiction of Hickman. (Note the Hickman Plan is currently being updated).
5. The applicant is requesting waivers to street trees, landscape screens and sidewalks. These waivers are no longer required due to recent text changes.
6. The applicant is requesting waiver of the block length along Red Cedar Rd/S. 75th Street in the plat. This waiver does not appear to be justified and should be denied. The stub streets to provide access to abutting land to the southeast should be provided as required in the Subdivision Regulation.
7. The Health Department notes that water and waste disposal have been adequately addressed.
8. The County Engineer letter of November 29, 2005T, notes several corrections to be made.
9. Norris Public Power will require easements.
10. The change of zone to AGR would permit up to 39 dwellings. An AGR CUP with bonuses could permit 47 dwellings. 24 lots are being requested and represent a reduction from the 35 requested in 2004.
11. Some acreage review issues can be addressed in this report:
 - a) Water/rural water,
This is in the rural water district and district service is proposed.
 - b) Road access and paving,
Roca Road is paved, South 82nd is gravel. Both are county roads.
 - c) Soil rating,
The soil is not prime ag land of the county.
 - d) Development of the area/land parcelization,
The land to the north, east and west of this area is in substantially larger

parcels of 40 and 80 acres in area. To the southwest is an acreage subdivision and around Wagon Train Lake to the southeast are additional acreage dwellings.

e) Existing acreages,

Land to the southwest has substantial acreages. An issue is extended acreage development to the east along Roca Road. There are no abutting acreage developments.

f) Conflicting farm uses,

There are no conflicting farm uses noted in a field check.

g) Environmental issues,

This drains into Wagon Train Lake.

h) Impact on other governmental entities,

This will increase demand for service on the Sheriff, Rural Fire, School and others. The level of impact is not known.

i) Plans of other towns,

This is about two miles north from the town of Hickman and about two miles east of Roca, no response was received from either town on this project. This application does not appear to comply with the "Horizon Plan" of the City of Hickman. There is a Watershed Management Plan being developed for Wagon Train Lake.

If the Planning Commission chooses to recommend approval and conditional approval of the applications, the following conditions are suggested:

CONDITIONS FOR PRELIMINARY PLAT #05017:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the County Board agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of November 29, 2005;
 1. There should be a note on the Preliminary Plat and on the dedication on the Final Plat that "lots will be permitted one residential access only".

2. The profile of South 75th Street at Roca Road and the profile of Red Cedar Road at South 82nd Street must have a vertical curve where the break in grade is shown.
3. There is no horizontal curve information shown on the site plan.
4. Red Cedar Road should be moved approximately 80.00 feet south to provide adequate sight distance for the intersection.
5. General Note 5 indicates that the streets are private; however, the drawing does not show this.
6. General Note 8 refers to North 82nd Street and should be South 82nd Street.
7. Grading shall extend around both temporary turnarounds.
8. Roads shall be constructed to Lancaster County Standards. All improvements shall be complete prior to Final Plat approval. The County Engineer's Office shall be notified prior to laying asphalt.
9. The plat boundary should not go to the section line on the south side. Lot 4 Irregular tracts, does not include the existing 40 feet of road right-of-way on Roca Road.
10. The site plat refers to Not 10d for the 10' setback on Roca Road and South 82nd Street and should be Note 9.
11. The temporary dead end streets shall have 22 feet of Type III barricades.

1.2 Revise the site plan to show:

- 1.2.1 Show the easements requested by Norris Public Power.
- 1.2.2 Show street connections to the lot to the southeast.
- 1.2.3 Revise Note #9 to change "Lot" to "Block".
- 1.2.4. Show the streets as public (this is not a CUP).

2. The County Board approves associated requests:

2.1 Approval of Change of Zone # 05079 for AGR.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:

3.1 Streets, street lights, street trees, community water facilities, community sewer facilities, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed, unless waived.

3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

3.2.1 To submit to the County Engineer an erosion control plan.

3.2.2 To protect the remaining trees on the site during construction and development.

3.2.3 To submit to lot buyers and home builders a copy of the soil analysis.

3.2.4 To complete the private improvements shown on the preliminary plat.

3.2.5 To relinquish the right of direct vehicular access to S. 82nd St except for Red Cedar Road and to Roca Road except for S. 75th Street.

3.2.6 To maintain County roads until the County Board specifically accepts the maintenance.

3.2.7 To comply with the provisions of the Land Subdivision Ordinance\Resolution regarding land preparation.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@ci.lincoln.ne.us

Planner

December 16, 2005

APPLICANT:

Lyle Loth,
E.S.P.
601 Old Cheney Road, Suite 'A'
Lincoln, NE 68512
(402) 421-500

Red Cedar Ridge, CZ #05079 and PP # 05017

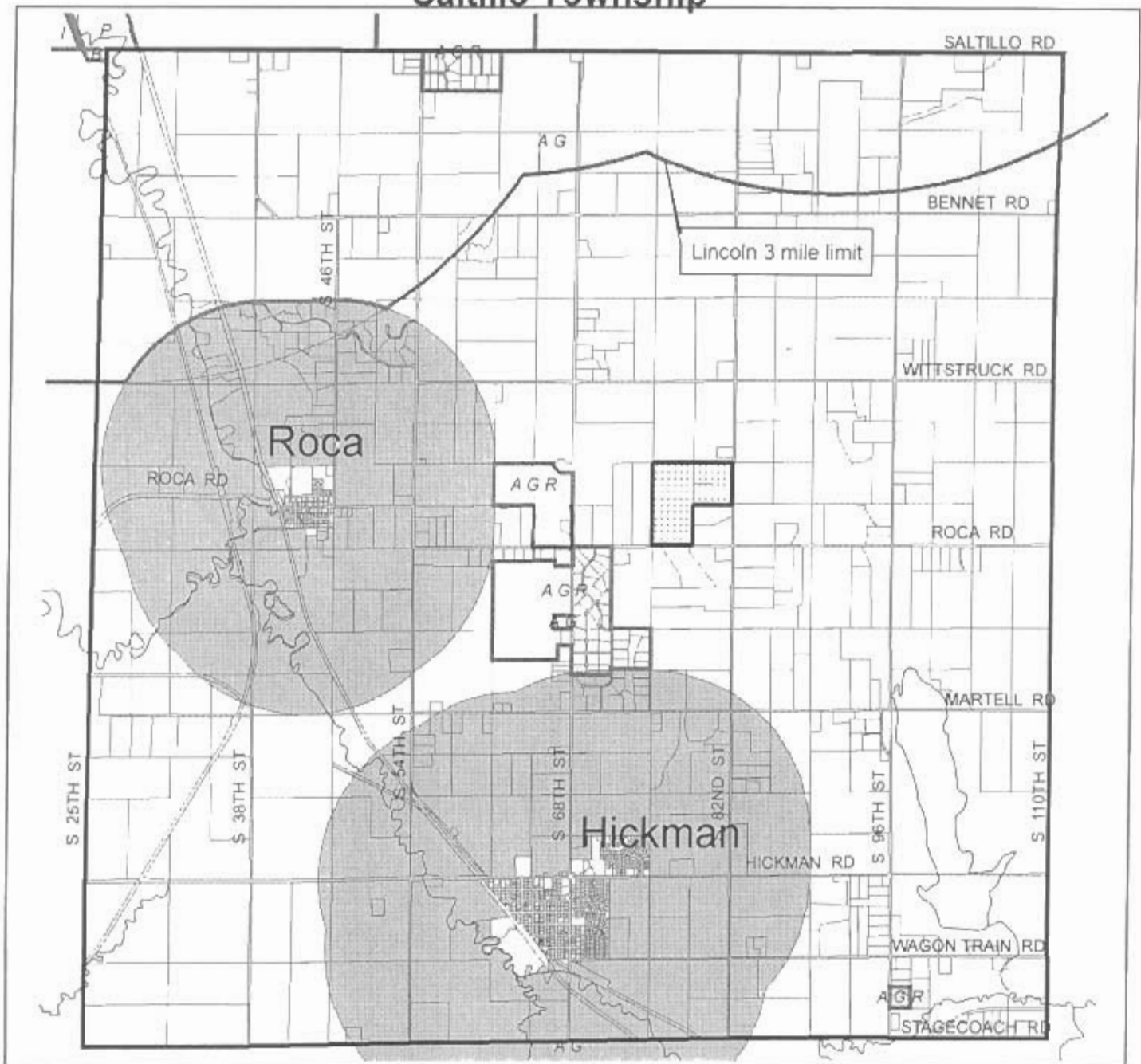
8

CONTACT: same

OWNER: Alan Baade
5500 Saltillo Road,
Roca, NE 68430
(402) 421-3094

F:\FILES\PLANNING\PC\CZ\05000\COcz05079 red cedar ridge.md.wpd

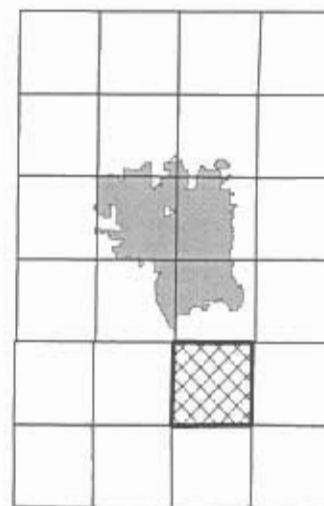
Salttilo Township



- 1 mile jurisdiction around incorporated towns
- Area of Application
- streams

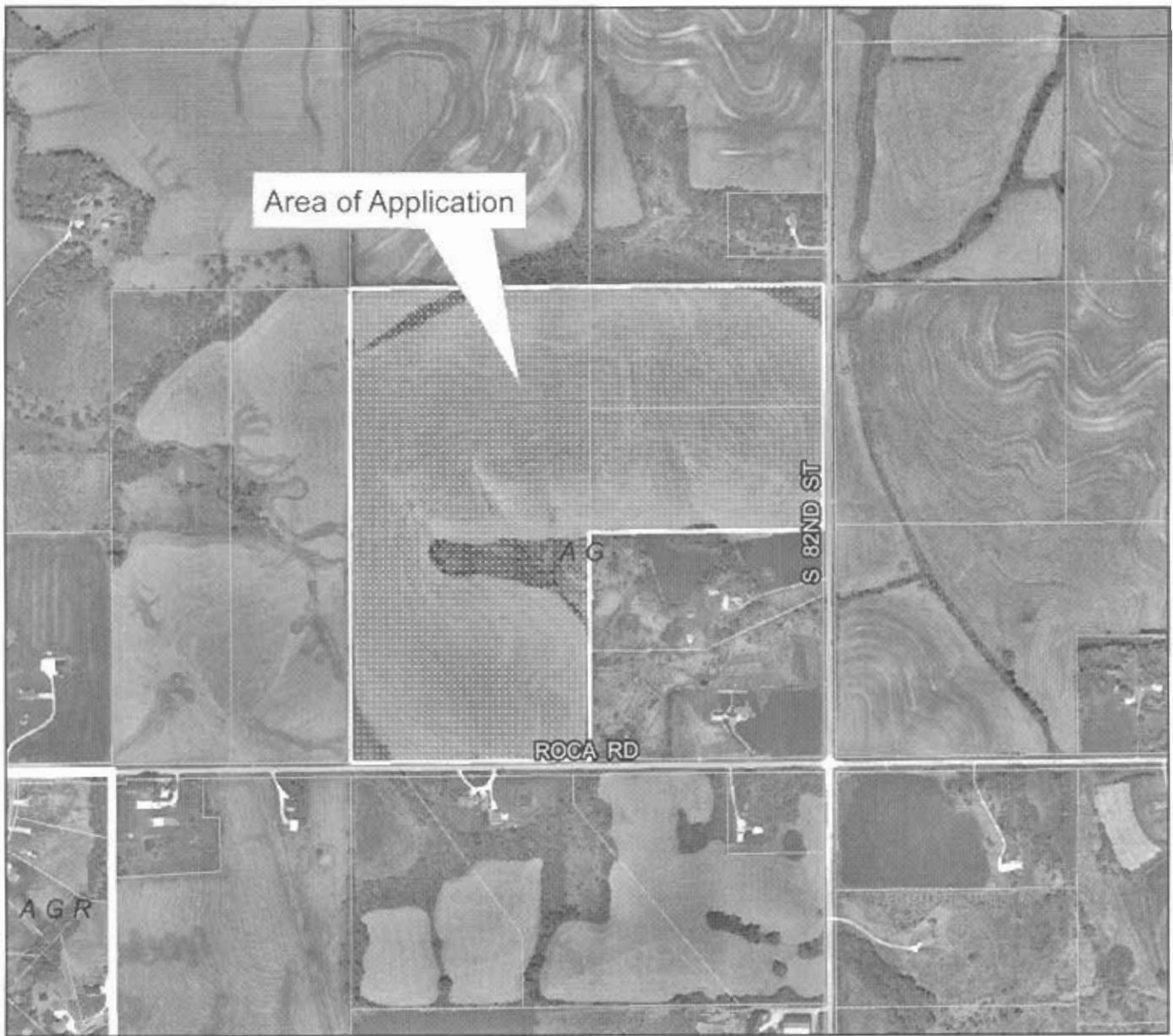
**Preliminary Plat #05017 & Change of Zone #05079
Red Cedar Ridge**

m:\planning\review\cindy\salttilo.mxd June 2004



**Lancaster County
Township Location Map**

Lincoln City - Lancaster County Planning Dept.



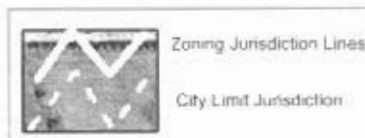
Preliminary Plat #05017 & Change of Zone #05079
Red Cedar Ridge
S 82nd St & Roca Rd

2005 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 15 T08N R07E





File No. 00-0210
November 18, 2005

Planning Department
Mike Dekalb
555 South 10th Street
Lincoln, NE 68508

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

Re: RED CEDAR RIDGE PRELIMINARY PLAT

Dear Mr. Dekalb,

This purpose statement is in reference to the above preliminary plat. The owner of the property, Alan Baade, intends to develop the property into 24 single-family lots. He currently has no interest in any of the land surrounding the property. In addition to the preliminary plat application, we are also requesting a change of zone from AG to AGR. A neighborhood meeting regarding the project was announced and held with minimal attendance.

Accompanying this purpose statement is an attached legal description of the property, copies of the site plan and street profiles for your review, change of zone application and the soils study of the property. I have also included the culvert calculations and a letter from the Lancaster County Rural Water District No. 1 confirming their approval of this development.

If you have any questions or concerns, please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lyle L. Loth', written in a cursive style.

Lyle L. Loth

RURAL WATER DISTRICT NO.1

LANCASTER COUNTY, NEBRASKA

P.O. Box 98 310 Fir Street

Bennet, Nebraska 68317

PHONE 782-3495

October 24, 2005

Alan Baade
5500 Saltillo Rd
Roca, NE 68430

Dear Alan:

Our engineer has previously approved your proposed development, Red Cedar Ridge, which will consist of 24 lots.

The engineer has determined that the addition of this development will not have a significant impact on our other customers.

Sincerely,


Ken Halvorsen
LRWD#1

LOWER PLATTE SOUTH
NATURAL RESOURCES DISTRICT



3125 Portia St., Box 83581, Lincoln NE 68501-3581
(402) 476-2729 • FAX (402) 476-6454
www.lpsnrd.org

November 22, 2005

Mr. Mike DeKalb
Lincoln-Lancaster County Planning Dept.
555 South 10th Street
Lincoln, NE 68508

RE: Red Cedar Ridge (75th & Roca Rd.) Change of Zone # CZ05079

Dear Mike:

We have reviewed the plans for the above-referenced project, which is located within the Wagon Train Lake Watershed. The Lower Platte South NRD is the local sponsor for the federally funded (EPA/NDEQ – Section 319 Program) Wagon Train Lake Watershed Protection Project. This \$1,000,000 project is in addition to the previously completed renovation of Wagon Train Lake.

The local advisory group of lake users and watershed landowners that developed the Wagon Train Watershed protection plan acknowledged that development will occur in the watershed and established as one of its goals to "minimize the impacts of future development in the watershed on Wagon Train Lake".

This proposed development is located on a very erosive tract of land that will require carefully selected and well designed sediment and erosion control practices. If this request is approved, a detailed Stormwater Pollution Prevention Plan (SWPPP) needs to be prepared that will especially address:

- Erosion that will result from grading activities while establishing the road ditches, and
- Additional erosion & sediment controls that will need to be installed to address the concentrated flows from the roadway network and culverts.

This development will be required to submit an NPDES Permit application, and an accompanying SWPPP to Nebraska Department of Environmental Quality. The NRD requests to review these plans to insure their effectiveness and consider the practices for cost-share assistance from the NRD.

Sincerely,

J.B. Dixon, CPESC, Stormwater Specialist

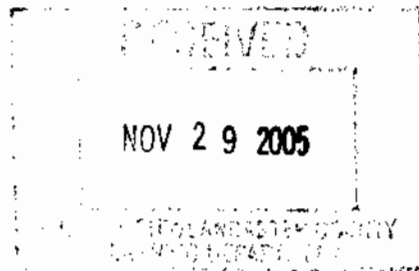
JBD/jb

Pc: Sonny Lane, Wagon Train Advisory Group Chair
Paul Brakhage, NDEQ
Jim Harder, Wagon Train Lake Watershed Project Coordinator
Paul Zillig, LPSNRD



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090



November 28, 2005

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Red Cedar Ridge

Dear Mike,

I have reviewed the subject plat and marked easements in red. I have requested our standard 10' along all perimeters, and 10' [5' each side] of adjoining lot lines.

Thanks for your consideration.

Sincerely,

Rick Volmer, Staking Engineer

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE:

December 5, 2005

DEPARTMENT: Planning

FROM:

Chris Schroeder

ATTENTION:

DEPARTMENT:

Health

CARBONS TO: EH File

SUBJECT: Red Cedar Ridge

EH Administration

CZ #05079 PP #05017

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

- The developer has adequately addressed on-site wastewater treatment system issues. Wastewater treatment will be provided by standard or non-standard systems. Lagoons will not be prohibited by covenant. All lots exceed the three acre net requirement for the installation of a lagoon.
- The developer has adequately addressed water supply issues. Water will be provided by the Lancaster County Rural Water District.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not be limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Lancaster

County

Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY - **LARRY V. WORRELL**
COUNTY SURVEYOR

DATE: November 29, 2005
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell
County Surveyor
SUBJECT: RED CEDAR RIDGE - PRELIMINARY PLAT

NOV 30 2005

Upon review, this office would have the following comments:

- 1) There should be a note on the Preliminary Plat and on the dedication on the Final Plat that "lots will be permitted one residential access only".
- 2) The profile of South 75th Street at Roca Road and the profile of Red Cedar Road at South 82nd Street must have a vertical curve where the break in grade is shown.
- 3) There is no horizontal curve information shown on the site plan.
- 4) Red Cedar Road should be moved approximately 80.00 feet south to provide adequate sight distance for the intersection.
- 5) *General Note 5* indicates that the streets are private; however, the drawing does not show this.
- 6) *General Note 8* refers to North 82nd Street and should be South 82nd Street.
- 7) Grading shall extend around both temporary turnarounds.
- 8) Roads shall be constructed to Lancaster County Standards. All improvements shall be complete prior to Final Plat approval. The County Engineer's Office shall be notified prior to laying asphalt.
- 9) The plat boundary should not go to section line on the south side. Lot 4, irregular tracts, does not include the existing 40 feet of road right-of-way on Roca Road.
- 10) The site plan refers to *Note 10d* for the 10' setback on Roca Road and South 82nd Street and should be *Note 9*.
- 11) The temporary dead end streets shall have 22 feet of Type III barricades.

LWV/DP/bml

SUBDIV.WK/Red Cedar Ridge Preliminary Plat Mem